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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 VNUS MEDICAL TECHNOLOGIES, INC. No. C-05-2972 MMC

12 Plaintiff

13 v.

14 DIOMED HOLDINGS, INC., et al.,

**ORDER GRANTING IN PART AND
DENYING IN PART ANGIODYNAMICS'
MOTION TO FILE DOCUMENTS UNDER
SEAL; DIRECTIONS TO
ANGIODYNAMICS**

15 Defendants

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17 Before the Court is defendant AngioDynamics, Inc.'s ("AngioDynamics") motion to
18 file documents under seal, filed August 10, 2007. Having reviewed the Declaration of Mark
19 Kertz, filed by plaintiff VNUS Medical Technologies, Inc. ("VNUS") on August 17, 2007, the
20 Court rules as follows:

- 21 1. AngioDynamics's motion is hereby GRANTED in part, specifically, as to the
22 following documents that VNUS has shown contain material properly filed under seal:
 - 23 a. Defendants' Notice and Motion for Summary Judgment of Invalidity Under
24 35 U.S.C. §§ 112
 - 25 b. Declaration of Richard J. Twilley in Support of Defendants' Motion for
26 Summary Judgment of Invalidity Under 35 U.S.C. § 112.
- 27 2. With respect to Exhibits C and I to the Declaration of Richard J. Twilley, only a
28 portion of those exhibits are, for the reasons stated by VNUS, properly filed under seal.

1 Accordingly, AngioDynamics's motion is hereby DENIED to the extent AngioDynamics
2 seeks to file the entirety of said exhibits under seal. If AngioDynamics wishes the Court to
3 consider the portions of those exhibits that have not been designated as confidential by
4 VNUS, specifically, any page of Exhibit C other than pages 67-68 and 227-228, and any
5 page of Exhibit I other than the pages stamped "VNUS_014109-11," AngioDynamics is
6 hereby DIRECTED to electronically file in the public record such page(s) no later than
7 August 30, 2007.

8 3. AngioDynamics's motion is hereby DENIED in part, specifically, as to the
9 following documents for which VNUS has withdrawn any prior designation of confidentiality:
10 Exhibits E, F, O, and V to the Declaration of Richard J. Twilley. If AngioDynamics wishes
11 to have the Court consider such exhibits, AngioDynamics is hereby DIRECTED to
12 electronically file in the public record such exhibits no later than August 30, 2007.

13 **IT IS SO ORDERED.**

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15 Dated: August 23, 2007
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Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge

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